

Remarks

Claims 1-4 are pending in the present application. The subject matter of Claims 1-3 are allowable, but Claim 4 stands rejected under 35 USC §112, first paragraph, as allegedly failing to comply with the enablement requirement. In anticipation of allowance, and to expedite prosecution, Applicants propose amending the present claims in order more particularly claim the subject matter of the present invention.

The subject matter of original Claims 1 and 2 is now presented in new Claims 5 and 7. New Claim 6 is drawn specifically to a pharmaceutically acceptable salt and finds basis in Original Claim 1 (or new Claim 5). The subject matter of original Claim 3 has been redrafted as new Claim 8, drawn to pharmaceutical compositions, in order to more precisely claim the subject matter as described in the specification. Basis for such compositions may be clearly found in the specification beginning at page 17, line 10. New dependent Claim 9 merely narrows the subject matter of new Claim 8. The subject matter of original Claim 4 has been redrafted as new Claim 10. Further, new Claim 10 specifically recites breast cancer. Basis for the inclusion of breast cancer can be found in the references cited in the specification at page 14, lines 17-31, to page 15, lines 1-14, a selection of which has been included herein for the Examiner's convenience (Applicants will provide copies of all cited references if deemed necessary by Examiner). Applicants, however, maintain the right to prosecute the broader scope of original claim 4 in a later-filed continuation application. New dependent Claim 11 merely narrows the subject matter of new Claim 10.

As the proposed amendments merely reflect an effort to more particularly claim the subject matter of the present invention, Applicants respectfully submit that said amendments do not encompass any added matter. Applicants kindly request entry of the proposed amendments, reconsideration of any grounds for rejection, and passage of the case to allowance.

Please charge any fees or credit any overpayment in connection with this application which may be required by this or any related paper to Deposit Account No. 05-0840.

If the Examiner has any questions, or would like to discuss any matters in connection with this application, she is invited to contact the undersigned at (317) 277-3537.

Respectfully submitted,

/Tina M. Tucker/

Tina M. Tucker
Attorney for Applicant
Registration No. 47,145
Phone: 317-277-3537

Eli Lilly and Company
Patent Division/TMT
Lilly Corporate Center
Indianapolis, Indiana 46285

November 21, 2006

Attachments:

1. Anscher, et al. (1993) N. Engl. J. Med. 328:1592-1598
2. Arteaga, et al. (1993) J. Clin. Invest. 92:2569-2576
3. Arteaga, et al. (1993) Cell Growth and Differ. 4:193-201
4. Dickson, et al. (1987) Proc. Natl. Acad. Sci. USA 84:837-841
5. Daly, et al. (1990) J. Cell Biochem. 43:199-211
6. King, et al. (1989) J. Steroid Biochem. 34:133-138
7. Welch, et al. (1990) Proc. Natl. Acad. Sci. USA 87:7678-7682
8. Walker, et al. (1992) Eur. J. Cancer 28:641-644
9. Butta, et al. (1992) Cancer Res. 52:4261- 4264